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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,458	09/30/2003	Michel Chevanne	Q77711	2008

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WASHINGTON, DC 20037

EXAMINER
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HUSSAIN, TAUQIR

ART UNIT	PAPER NUMBER
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2152

MAIL DATE	DELIVERY MODE
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05/29/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/673,458	<b>Applicant(s)</b> CHEVANNE ET AL.	
	<b>Examiner</b> Tauqir Hussain	<b>Art Unit</b> 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper.No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>01/23/2004</u>  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. Claims 1-8 are pending in this application.

#### ***Claim Objections***

2. Claim 1, is written in alternative form in lines 5-7 with two limitations. Examiner chooses to elect the first limitation as "the level to which it belongs with no specific attachment to a level higher than itself".

#### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

4. Claim 1, recites the limitation "it" and "itself" in lines 4,5,6,7,8 and 12. There is insufficient antecedent basis for this limitation in the claim.

- 5.

#### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-7, are rejected under 35 U.S.C. 102(b) as being anticipated by Battat et al. (Patent No.: US 6,289,380 B1), hereinafter "Battat".

8. As to claim 1, Battat discloses the invention, including, a system (D) for managing the display of images representing network equipments (NE) of a communication network (Battat, Abstract, lines 1-4, Fig.10A), said system including elements associated with hierarchical levels (Battat, Abstract, lines 6-8), and said system being characterized in that each equipment element is associated with a set of primary data stored in a memory (MM) which represents it within the level to which it belongs with no specific attachment to a level higher than itself (Battat, Fig.10B, Col.12, lines 28-31, where VR\_3d properties are listed which are within the VR\_3d level and since it is listed under device property and device is listed under software therefore, inherently it is all stored in memory) and in that it includes management means (GM) adapted (Battat, Fig.10B, where CA-unicenter is a management means), in the event of receiving a request designating a chosen level of a network equipment (NE) with or without attachment (Battat, Col.8, lines 7-10, where repository-102 responds to the request from visualization workstation for events or notifications or object status change etc.), to access said sets of primary and secondary data in order to extract from the memory the sets of primary or secondary data of the elements of the equipment that belong to said designated level and to levels lower than it (Battat, Col.12, lines 28-31, where object class could be primary data and object properties could be the secondary data and each property has no lower level and these levels are attached to the class

level object), according to whether said level is designated with or without attachment (Battat, Fig.10B, where VR\_3d is designated with attachment e.g. bgcolor, bottom\_left\_name etc.).

9. As to claim 2, Battat discloses the invention including, characterized in that said management means (GM) are adapted to send the extracted sets of primary or secondary data to a graphical interface (G) (Battat, Col.8, lines 7-13, where visualization work station means it has graphical user interface and get the information from various subsystem through agents which can be interpret as feeding the extracted data into graphical interface).

10. As to claim 3, Battat discloses the invention including, characterized in that some elements are associated with sets of primary and secondary data that are at least partly identical (Battat, Fig.10A, where icons of the primary element for operating systems are same).

11. As to claim 4, Battat discloses the invention including, characterized in that said management means (GM) are adapted to refresh the data of elements displayed in the event of receiving a message reporting that an event relating to said elements has occurred within the network (Battat, Col.17, lines 43-48, where user interface is refreshed regularly and upon addition of any newly added device, added device appear into display).

12. As to claim 5, Battat discloses the invention including, a management server (S) of a communication network management system, characterized in that it includes a management system (D (Battat, Col.3, lines 5-13, where client/server system and multiple network management system is described).

13. As to claim 6, Battat discloses the invention including, characterized in that said management system (D) is installed in a control system (CM) (Battat, Col.3, lines 13-20, where inherently management system is installed on server to control workstation, application monitoring, licensing etc and where server is a controlling unit).

14. As to claim 7, Battat discloses the invention including ,use of the management system (D) and the server (S) according to claim 1 in the network technologies requiring to be managed (Battat, Col.4, lines 59-64, where multiple network location can be remotely managed from one location).

***Claim Rejections - 35 USC § 103***

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claim 8, is rejected under 35 U.S.C. 103(a) as being unpatentable over Battat as applied to claim 1-7 above in view of Rochford et al. (Patent No.: US 6,633,312 B1), hereinafter "Rochford".

17. As to claim 8, Battat discloses the invention substantially as in parent claim 7, including, characterized in that said network technologies are chosen in a group comprising transmission networks (Battat, Col.1, lines 23-25). Battat however, is silent on naming network group, in particular WDM, SONET and SDH networks, data networks, in particular Internet-IP and ATM networks, and voice networks, in particular conventional, mobile and NGN networks. Rochford, however discloses, naming network group, in particular SONET networks, data networks, in particular Internet-IP and ATM networks (Rochford, Col.1, lines 35-40, where other networks can obviously be incorporated to the invention also).

Therefore, it would have been obvious to one ordinary skilled in the art at the time the invention was made to combine the teachings of Battat as applied to claim 1-7 above with the teachings of Rochford in order to provide network managers to view network entities of interest more easily by only displaying a subset of network entities as defined by network features selected by the network managers (Rochford, Col.1, Summary, lines 63-66).

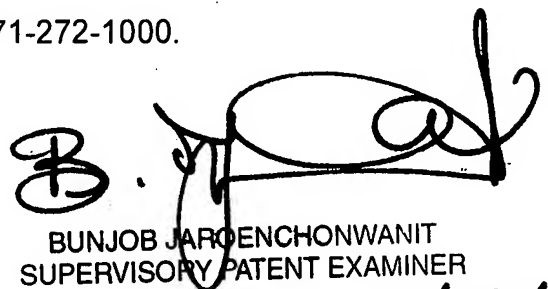
**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tauqir Hussain whose telephone number is 571-270-1247. The examiner can normally be reached on 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571 272 3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TH

  
BUNJOB JAROENCHONWANIT  
SUPERVISORY PATENT EXAMINER

5/24/07